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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/747,725

12/29/2003

Patricia Chapman Irwin

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23413 7590 04/15/2009
CANTOR COLBURN, LLP
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EXAMINER

JACKSON, MONIQUE R

ART UNIT

PAPER NUMBER

1794

NOTIFICATION DATE

DELIVERY MODE

04/15/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptopatentmail@cantorcolburn.com

Office Action Summary	Application No. 10/747,725	Applicant(s) IRWIN ET AL.	
	Examiner Monique R. Jackson	Art Unit 1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 13, 15, 16 and 22-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-11, 13, 15, 16, 22, 24-27 and 33 is/are allowed.
- 6) ☒ Claim(s) 28, 30 and 31 is/are rejected.
- 7) ☒ Claim(s) 29 and 32 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 2/3/09 has been entered. Claims 1-11, 13, 15, 16, and 22-33 are pending in the application. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 28, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Markovitz et al (USPN 6,359,232) for the reasons recited in the prior office action and restated below wherein the Examiner notes that the thermosetting epoxy resin binder taught by Markovitz et al includes a bisphenol A novolac accelerator that reads upon the broadly claimed “phenolics” as well as liquid bisphenol A epoxy resins which also read upon the broadly claimed “phenolics”.

3. Markovitz et al teach an electrical insulating material, particularly for use as groundwall insulation for high voltage generator stator bars, wherein the electrical insulating material comprises a resin binder and about 2 to about 30wt% of submicron particles of silicon dioxide, aluminum oxide, titanium dioxide and/or zirconium dioxide, with a particle size of about 0.005 to about 0.05 micrometers; and the resin binder is a thermosetting polymeric material such as epoxy and polyester resins (Abstract; Col. 2, lines 9-61; Col. 4, lines 58-Col. 5, line 41; Col. 8, lines 40-52; Col. 9, lines 29-36; *which includes phenolic epoxy resins and phenolic resin accelerators.*) Markovitz et al teach that the insulating material provides superior voltage endurance performance (Col. 9, lines 37-53.) Markovitz et al do not specifically teach the thickness of the insulating layer and breakdown voltage as claimed however one having ordinary skill in the art at the time of the invention would have been motivated to determine the optimum

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thickness of the insulating layer to provide the desired insulating properties for a particular end use wherein typical thicknesses are within the claimed range. With respect to Claim 31, it is noted that the carbides recited in Claim 31 are not positively recited as being in the insulating layer given that the carbides are optional in Claim 30.

Response to Arguments

4. Applicants' arguments filed 2/3/09 have been considered but are not persuasive. The Applicants argue that Markovitz et al do not teach the instantly claimed thermosetting resins given that the instant claims no longer recite "polyesters" however as recited above, the thermosetting resins taught by Markovitz et al also read upon the broadly claimed term "phenolics". Hence, the Examiner maintains her position with respect to the rejection of Claims 28, 30 and 31 over Markovitz et al.

Allowable Subject Matter

5. Claims 29 and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 1-11, 13, 15, 16, 22, 24-27 and 33 are allowed.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monique R. Jackson whose telephone number is 571-272-1508. The examiner can normally be reached on Mondays-Thursdays, 10:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Callie Shosho can be reached on 571-272-1123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Monique R Jackson/
Primary Examiner, Art Unit 1794
April 10, 2009